

SEVENTH REGULAR SESSION

July 8, 2013

Johnstown, NY

Roll Call- Quorum Present

Supervisors: Argotsinger, Born, Bradt, Callery, Capek, DiGiacomo, Fagan, Handy, Howard, Johnson, Kemper, Kinowski, Lauria, MacVean, Ottalagano, Ponticello, Potter, Waldron

TOTAL: Present: 18 Absent: 2 (Supervisor Gendron and Ottuso)

Chairman Waldron called the meeting to order at 1:00 p.m. Following the Pledge of Allegiance, Chairman Waldron asked if there was anyone from the public who wished to address the Board.

Jon Stead, Administrative Officer/Clerk of the Board, advised that the 2013 OTB Student Scholarship Awards are provided by Fulton County and Capital Region OTB. The students must submit a 3,000 word essay regarding county government. He noted that all three winners were in attendance today and were recent graduates of Johnstown High School.

Chairman Waldron presented framed award certificates to each winner:

1 st Place	Helaina Stergas
2 nd Place	Eric Brower
3 rd Place	Alexander Hollister

Chairman Waldron then asked Larry Peck to come to the dais. Chairman Waldron read and presented a Chairman's Letter to Mr. Peck expressing the Board's appreciation for his years of service as a FMCC College Trustee for 13+ years.

Mr. Peck stated that when he was asked to consider coming back on the Board of Trustees seven years ago he was surprised. He stated that his time serving as a Trustee has been some of the most pleasant years of his life and he thanked Dr. Swanger and Mr. Morrow for their support. He noted that the College has grown and the improvements at the facility are astounding. He thanked the Board of Supervisors for its support.

COMMUNICATIONS

1. Letter from Assemblyman James Tedisco to Chairman of the Board, dated June 20, 2013
Subj: Acknowledging receipt of Resolution 188 of 2013 (Resolution Urging Governor Cuomo and State Legislators to Exempt Firearm Permit Records from FOIL Disclosure)
(Supervisor Lauria requested a copy of Communication 1)

REPORTS

- A. Fulton County Department of Social Services 2012 Annual Report [Priority Reading]

UPDATES FROM STANDING COMMITTEES

Economic Development and Environment: Vice-Chairman Bradt advised that there was a lot of water at the Fulton County Landfill from the recent storms.

REPORTS OF SPECIAL COMMITTEES

Adirondack Government: Supervisor Kemper advised that the Adirondack Park Agency (APA) is trying to classify more land as “wilderness”. She further advised that the State is continuing to “grab land” and shut off towns’ access to lands. This would have a huge impact on the Adirondacks. Supervisor Kemper wanted everybody to be aware of what the State is trying to accomplish.

Soil and Water Conservation District: Supervisor Ponticello reported that John Persch, District Field Manager of Soil and Water Conservation District, attended a training seminar in Delaware County. Supervisor Ponticello also mentioned that several pond and drainage projects are being worked on.

CHAIRMAN’S REPORT

Chairman Waldron advised that every Board member should have received a memo from Administrative Officer, Jon Stead, regarding the State Comptroller’s recent report on the fiscal status of Fulton County and other municipalities. He commented that it was a very nice article that indicates that Fulton County handles its fiscal responsibility very well. He further commented that it was a positive direction for Fulton County to maintain fiscal stability. Chairman Waldron expressed his thanks to all Board of Supervisors members for their good work.

Chairman Waldron then asked President of Fulton-Montgomery Community College, Dr. Dustin Swanger, to provide an overview of the proposed 2013-14 FMCC Budget.

Mr. Swanger explained that next year is the 50th Anniversary of Fulton-Montgomery Community College. He said that the College appreciates the support given by the Board of Supervisors. He also explained that for the 50th Anniversary, the College plans on having monthly celebrations and he hopes some of the Board members will be able to attend some of the events.

Mr. Swanger then provided some highlights of the FMCC Budget for 2013-2014. He explained that every Board member should have a packet of information. The overall budget is \$18,568,977.00. The FTE rate is \$2,422.00, which helps a great deal. FMCC is experiencing a 2 percent decrease in enrollment for the spring and fall; however, the summer enrollment is up 8 percent. Mr. Swanger explained there will be a tuition increase of \$154.00 for the year. Mr. Swanger reported that FMCC is reducing two (2) mandatory fees, so the net increase is really \$74.00. The College is anticipating using \$350,000.00 of its fund balance next year. Mr. Swanger also reported that 73 percent of the population at the College is coming from Fulton and Montgomery Counties.

Supervisor Callery asked why the resolution shows FMCC with an overall budget of \$19,488,730.00 for next year. Mr. Swanger explained that figure is including the grant-supported portion of the budget and is the actual total.

RESOLUTIONS

No. 212 (Resolution Authorizing Agreement with Grandma Millie's Bakery and Café for Lease of the Restaurant Building at the Fulton County Airport): Supervisor Kemper asked what the \$10.00 per month covers regarding sewer. Mr. Stead explained that it is a service fee for use of the County's septic system at the Airport.

No. 213 (Resolution Authorizing a Contract with Environmental Design Partnership, LLP to Prepare a Model for Fulton County's "SMART Waters" System and Amending the 2013 Capital Plan Therefor): Supervisor Handy stated that is not in favor of spending \$50,000.00 for this study. He stated that he believes the County has individuals capable of performing this work in-house. He stated that Jon Stead, Planning Director Jim Mraz, Dr. Swanger and several others can sit down and come up with some type of agreement with the Cities and the Town of Johnstown. He also stated that both the City of Gloversville and City of Johnstown City Councils are not in favor of this study. He asked if the Cities are not in favor of this, why is the County spending \$50,000.00.

Supervisor Ottalagano stated that he agreed with Supervisor Handy on this. He stated that he would be voting against this resolution.

Supervisor Born stated that when she was going around the City of Gloversville with her petition, she had a lot of comments from constituents regarding this study. She agreed with Supervisor Ottalagano that the people of Gloversville may not be in favor of this; however, she said the Board owes it to all county residents to do this study.

Supervisor Kemper stated that this is simply a study. The Cities of Johnstown and Gloversville will be the big winners in this if it was to come to fruition. This study is needed to see what opportunities are out there for the betterment of everyone. She stated that this Board would be very close-minded if it didn't explore what benefits are available.

Supervisor Lauria stated that he spent 22 years on the Gloversville Common Council and he knows how they feel regarding this issue. He stated as a city supervisor, you realize there is a broader view out there. This may be an avenue where the cities can gain, but it is unknown until the study is completed. He stated that, "Fulton County needs to grow". He stated that the study needs to be complete and then the City will have the deciding vote if they want to participate. He stated that this County needs to see job growth, etc. "If this study is not completed, Fulton County will be saying no to the future."

Supervisor DiGiacomo stated that it is pretty short-sighted for the two city councils to reject this at this level. This is an opportunity that the County needs to take. He stated that the positives outweigh the negatives.

Supervisor Ottalagano stated he agrees water is necessary for economic development. He also advised that the Gloversville Water Department is separate from the city and does not require City Council approval to sell water.

Supervisor MacVean stated that when businesses look to come into the Town of Johnstown, the City of Johnstown wants to annex and it ends up in a court battle. By providing water and sewer to new businesses, it helps everyone.

Supervisor Fagan stated that the County has done well with budgeting related to taxes; however, economic development is needed to lower property taxes. In order to have economic development, there needs to be available water and sewer. This is the perfect chance to help Fulton County. Having water and sewer readily available is important to get businesses to Fulton County. He stated, "let's lead the county and take the steps we need to do to make it better".

Supervisor Lauria reiterated that this resolution only approves a study. If the County wants Gloversville's water system, it will have to pay for it. He stated that no one is looking to take over the water department.

Chairman Waldron opened the public hearing to receive comments on the 2013-2014 Tentative Budget for Fulton-Montgomery Community College at 1:39 p.m. There being no one present to speak, Chairman Waldron advised that he would leave the public hearing open.

Chairman Waldron asked if anyone was present to offer public comments regarding the FMCC 2013-2014 Tentative Budget. There being no one present, Chairman Waldron closed the public hearing at 1:48 p.m.

Upon a motion by Supervisor Callery, seconded by Supervisor DiGiacomo and unanimously carried, the meeting adjourned at 1:52 p.m.

Certified by:

*Jon R. Stead, Administrative Officer/DATE
Clerk of the Board*

Resolution No. 203

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION DESIGNATING COUNTY ROADS FOR SNOW AND ICE CONTROL DURING WINTER OF 2013-2014

WHEREAS, Section 129 of the Highway Law provides that the Board of Supervisors of any county may annually appropriate and expend such sums as it deems proper and necessary for removal of snow, the control of ice and the erection and removal of snow fencing on county roads of the county; and

WHEREAS, Section 129 of the Highway Law further provides that said Board of Supervisors shall designate the county roads from which snow is to be removed, under the direction of the County Superintendent of Highways; now, therefore be it

RESOLVED, That the county roads, as described and attached hereto, be and they hereby are designated as County Roads from which snow shall be removed by the Fulton County Superintendent of Highways, upon which he shall cause to be created and removed the necessary snow fence or other structures to prevent the drifting of snow upon these roads and necessary sanding and ice control; and the entire cost of the work shall be a charge against Fulton County; and, be it further

RESOLVED, That the plowing of these roads is contingent upon the cooperation of the property owners abutting these roads, who must allow the free use of their land by the Fulton County Superintendent of Highways; should any property owner(s) refuse to allow the free use of their lands for the purpose of erection and removal of snow fencing, such action shall be just cause for the Fulton County Superintendent of Highways to refuse to remove snow from the county road upon which this permission is denied; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Highway Superintendent and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

COUNTY ROADS OF FULTON COUNTY DESIGNATED FOR
SNOW AND ICE CONTROL DURING WINTER OF 2013-2014

<u>Rd. No.</u>		<u>Length</u>
101	St. Rte. 29A westerly to Co. Rd. 131	1.81
102	Phelps St.-G'ville City Line northeasterly to St. Rte. 30A (2.12 Tn. Johnstown; 1.28 Tn. Mayfield)	3.40
103	St. Rte. 67 southeasterly to Montgomery Co. Line	0.52
104	St. Rte. 29A southerly to Co. Rd. 119	2.37
105	St. Rte. 920J westerly to Gloversville City Line	0.27
106	St. Rte. 29 southeasterly to St. Rte. 30 (2.85 Tn. Mayfield; 1.42 Tn. Perth)	4.27
107	Johnstown City Line easterly to Co. Rd. 132 (3.26 Tn. Johnstown; 6.51 Tn. Perth; 4.97 Tn. Broadalbin)	14.56
108	St. Rte. 331 westerly to Herkimer Co. Line	4.03
109	Co. Rd. 110 southerly to Saratoga Co. Line (0.24 Tn. Northampton; 1.43 Tn. Broadalbin)	1.67
110	Broadalbin Village Line northerly to Saratoga Co. Line (6.59 Tn. Broadalbin; 0.98 Tn. Northampton)	7.57
111	St. Rte. 29A northerly to Kasson Drive	1.36
112	St. Rte. 29A easterly to St. Rte. 309 (2.22 Tn. Caroga; 6.62 Tn. Bleecker)	8.84
113	Northville Village limits to Saratoga Co. Line	1.48
114	St. Rte. 29 southerly to Montgomery Co. Line	2.84
116	St. Rte. southerly to Sammons ville	4.38
116A	Montgomery Co. Line northerly to Co. Rd. 116 intersection	0.59
119	St. Rte. 29 northwesterly to Herkimer Co. Line (5.00 Tn. Ephratah; 6.59 Tn. Stratford)	11.59
120	Co. Rd. 108 to Dolgeville Village limits	2.58
121	Gloversville City Line to Co. Rd. 122	0.53
122	Johnstown City Line northeasterly to Co. Rd. 102	5.42
123	St. Rte. 30 northeasterly to Co. Rd. 152 (4.28 Tn. Mayfield, 1.88 Tn. Northampton)	6.16
125	Co. Rd. 112 to Hamilton Co. Line	7.42
126	Co. Rd. 155 to Montgomery Co. Line (3.19 Tn. Broadalbin; 2.41 Tn. Perth)	5.60
130	St. Rte. 30 to St. Rte. 30	0.51
131	St. Rte. 29 northerly to Co. Rd. 101	2.10
131A	Johnstown City Line westerly to Co. Rd. 131 intersection	1.58
132	Co. Rd. 107 southerly to Montgomery Co. Line	3.03
137	St. Rte. 29A to Cape Horn Rd.	3.79
138	Co. Rd. 110 southerly to St. Rte. 29	4.65
140	St. Rte. 10 to Montgomery Co. Line	2.54
142	Co. Rd. 107 southerly to Montgomery Co. Line	2.65

142A	St. Rte. 67 northeasterly to Co. Rd. 142 intersection	0.92
143	Northville Village Limits to Hamilton Co. Line	1.59
145	Co. Rd. 112 northerly to Barlow Rd.	1.35
146	Co. Rd. 102 northeasterly to St. Rte. 30 (1.63 Tn. Mayfield; 0.09 Vill. Mayfield; 1.75 Tn. J'town)	3.47
148	Johnstown City Line southerly to Montgomery Co. Line	0.65
149	Co. Rd. 113 northerly to Northville Village limits	1.19
150	Co. Rd. 108 easterly to St. Rte. 331	1.17
151	St. Rte. 29 south to Co. Rd. 108	2.20
152	St. Rte. 30 northerly to St. Rte. 920H	3.04
153	Airport Rd.-St. Rte. 67 northerly	0.36
154	G'ville City Line easterly to St. Rte. 30A & St. Rte. 349 northeasterly to St. Rte. 30A (0.67 Tn. J'town; 0.79 Tn. M'field)	1.46
155	St. Rte. 29 easterly to St. Rte. 30 easterly to St. Rte. 29 (0.02 Tn. Broadalbin; 1.29 Tn. Mayfield)	1.31
156	St. Rte. 67 northerly to St. Rte. 29	1.28
157	St. Rte. 349 northerly to Co. Rd. 154	0.83
158	St. Rte. 29 southerly to Co. Rd. 107 (0.32 Tn. Mayfield; 1.38 Tn. Perth)	1.70
TOTAL		<u>142.63</u>

Resolution No. 204

Supervisors ARGOTSINGER AND CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING 2013-2014 AGREEMENTS FOR SNOW AND ICE
CONTROL ON CERTAIN DESIGNATED ROADS

RESOLVED, That the Chairman of the Board of Supervisors and the County Highway Superintendent are hereby empowered and directed to enter a written agreement with the following towns in Fulton County for snow and ice control on certain designated County roads during the season of 2013-2014, at a cost of \$5,000.00 per mile:

<u>Town</u>	<u>Mileage</u>
Bleecker	2.15 (includes contract for plowing Tower Rd)
Caroga	5.15
Ephratah	7.40
Johnstown	6.72
Mayfield	5.91
Northampton	9.69
Perth	3.03
Stratford	<u>8.96</u>
TOTAL	49.01

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Budget Director/County Auditor and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 205

Supervisors ARGOTSINGER AND CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CONTRACT WITH THE TOWN OF
BLEECKER FOR 2013-2014 WINTER MAINTENANCE OF THE
COMMUNICATIONS TOWER ROAD**

WHEREAS, the County Highway Department is responsible for plowing and sanding the road leading to the Fulton County Communications Tower to provide access during winter months; said road being approximately 0.80 miles long; and

WHEREAS, the Town of Bleecker already plows the road connecting to the County's portion of said road; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with the Town of Bleecker to maintain the road leading to the Communications Tower during the winter months, at a cost not to exceed \$4,000.00; said contract subject to the approval of the County Attorney; and, be it further

RESOLVED, That the cost for said work shall be charged against Appropriation Account D-825-5142.414 Snow Removal/County-Town Contracts; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Town of Bleecker, Budget Director/County Auditor and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor POTTER and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 206

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR UNLEADED GASOLINE FOR THE CENTRAL FUEL DEPOTS LOCATED AT THE COUNTY SERVICES COMPLEX AND SOLID WASTE DEPARTMENT

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of unleaded fuels for the fuel dispensing system located at the County Services Complex and Solid Waste Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, Room 203, County Office Building, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That said bids must be addressed to Jon R. Stead, Purchasing Agent, Room 203, County Office Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, August 7, 2013; and, be it further

RESOLVED, That the Board of Supervisors reserves the right to reject any or all bids; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Solid Waste Director, Budget Director/County Auditor and Administrative Officer/Purchasing Agent.

Seconded by Supervisor PONTICELLO and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 207

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR ROOF
REPLACEMENT PROJECT AT FULTON COUNTY SERVICES COMPLEX II
(2013 CAPITAL PLAN)**

WHEREAS, the proposed 2013 Capital Plan identifies a Roof Replacement Project at the Fulton County Services Complex II; and

WHEREAS, the Committee on Buildings and Grounds/Highway recommends advertising for bids for a Roof Replacement Project; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to advertise for sealed bids for the a Roof Replacement Project at the Fulton County Services Complex II Building (and according to further specifications which may be obtained at the Office of Purchasing Agent, Room 203, County Office Building, Johnstown, NY, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, July 24, 2013, at which time and place they will be publicly opened and read; and, be it further

RESOLVED, That the Board of Supervisors reserves the right to reject any or all bids; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Buildings and Grounds/Highway, Planning Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 208

Supervisors ARGOTSINGER AND CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BID TO HANSON AGGREGATES NEW YORK, LLC
FOR COUNTY ROUTE 110 PAVEMENT REHABILITATION PROJECT IN THE
TOWNS OF BROADALBIN AND NORTHAMPTON (2013 CAPITAL PLAN)**

WHEREAS, the 2013 Capital Plan includes a County Route 110 Pavement Rehabilitation Project in the Towns of Broadalbin and Northampton, and

WHEREAS, Resolution No. 131 of 2013 authorized advertisement for bids for said County Road 110 Pavement Rehabilitation Project, and six (6) bids were received; and

WHEREAS, Superintendent of Highways and Facilities and the Committees on Buildings and Grounds/Highway and Finance recommend that a contract be awarded to Hanson Aggregates of Jamesville, NY for the County Route 110 Pavement Rehabilitation Project, at a cost not to exceed \$1,178,701.50; now, therefore be it

RESOLVED, That the net bid in the amount of \$1,178,701.50, as submitted by Hanson Aggregates of Jamesville, NY, for the County Route 110 Pavement Rehabilitation Project, be and hereby is awarded; they being the lowest responsible bidder in accordance with project specifications; and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following budget amendment:

Revenue Account:

Decrease D-083-3501.000 State Aid – Consolidated Highway Aid	\$ 36,250.00
Decrease D-083-3591.000 Highway Capital Projects	108,750.00
Decrease D-083-4597.000 Fed Aid – Transportation Capital Proj.	<u>580,000.00</u>
	\$725,000.00

Appropriation Account:

Decrease D-825-5112.420 Road Construction – Co. Road #110	\$725,000.00
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RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Hanson Aggregates, All Bidders, Budget Director/County Auditor, Administrative Officer/Clerk of the Board.

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 209

Supervisors ARGOTSINGER AND CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING SUBMISSION OF FEDERAL AVIATION
ADMINISTRATION GRANT APPLICATION FOR THE CONSTRUCTION OF AN
AUTOMATED WEATHER OBSERVATION STATION (AWOS)
AT THE FULTON COUNTY AIRPORT**

WHEREAS, the 2013 Capital Plan includes purchase and installation of an Automated Weather Observation Station (AWOS) at the Fulton County Airport; and

WHEREAS, the decision to purchase and install said AWOS was contingent upon the County of Fulton being awarded a federal Non-Primary Entitlement Grant to fund 90 percent of the cost, New York State providing 5 percent of the cost and the County providing a local share of 5 percent, for a total project cost of \$185,206.00; and

WHEREAS, in order to obtain the Non-Primary Entitlement Grant, Fulton County must submit a construction grant application to the Federal Aviation Administration (FAA) now; therefore be it

RESOLVED, That upon the recommendation of the Committees on Buildings and Grounds/Highway and Finance, the Chairman of the Board be and hereby is authorized to submit a Non-Primary Entitlement Grant application to the FAA, for an Automated Weather Observation Station as follows:

FAA Gant (90%)	\$166,686.00
State Share (5%)	9,260.00
County Share (5%)	<u>9,260.00</u>
	\$185,206.00

and, be it further

RESOLVED, That the Planning Director does each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Federal Aviation Administration, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor OTTALAGANO and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 210

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR PURCHASE
AND INSTALLATION OF AUTOMATED WEATHER OBSERVATION
STATION (AWOS) AT FULTON COUNTY
AIRPORT (2013 CAPITAL PLAN)

WHEREAS, Fulton County received Non-Primary Entitlement Funds from the Federal Aviation Administration in the amount of 600,000.00; and

WHEREAS, the 2013 Capital Plan includes purchase and installation of an Automated Weather Observation Station at the Fulton County Airport; and

WHEREAS, McFarland Johnson Engineering of Saratoga, New York, was hired to design a Automated Weather Observation Station (AWOS) at the Fulton County Airport; and

WHEREAS, a grant application has been submitted to the Federal Aviation Administration; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase and installation of an Automated Weather Observation (and according to further specifications which may be obtained at the Office of the Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to the Jon R. Stead, Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, July 24, 2013, at which time and place they will be publicly opened and read; and, be it further

RESOLVED, That the Board of Supervisors reserves the right to reject any or all bids; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KEMPER and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 211

Supervisors ARGOTSINGER AND CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING SUBMISSION OF 2013 CONSOLIDATED
FUNDING GRANT FOR THE FULTON COUNTY HISTORICAL JAIL
AND FULTON COUNTY COURTHOUSE
RENOVATION PROJECT

WHEREAS, a New York State Consolidated Funding Application (CFA) is available to access grants to improve, protect, preserve, rehabilitate and restore properties listed on the State or National Register of Historic Places; and

WHEREAS, under said grant guidelines, Fulton County would be eligible to receive up to 75 percent reimbursement for eligible expenditures for improvements; and

WHEREAS, the historic Fulton County Jail and historic Fulton County Courthouse are on the National Register of Historic Places and are eligible for such improvement; and

WHEREAS, proposed estimated costs to rehabilitate the Jail facility and the Courthouse are as follows:

Engineering	\$ 15,000.00
Construction/Renovation Costs:	207,000.00
Contingency	<u>28,000.00</u>
Total	\$250,000.00

now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to accept funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of (Title 9 of the Environmental Protection Act of 1993) in an amount not to exceed \$187,500.00, and enter into and execute a project agreement with the State for such financial assistance to this Fulton County Jail and Fulton County Courthouse Renovation Project and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Cuomo, Nation Register of Historic Places, New York State Office of Parks, Recreation and Historic Preservation, Planning Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 212

Supervisors ARGOTSINGER AND CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING AGREEMENT WITH GRANDMA MILLIE'S BAKERY AND CAFÉ FOR LEASE OF THE RESTAURANT BUILDING AT THE FULTON COUNTY AIRPORT

WHEREAS, Resolution 171 of 2013 authorized distribution of a Request for Proposals for lease of the restaurant building at the Fulton County Airport and one (1) proposal was received; and

WHEREAS, the Committee on Buildings and Grounds/Highway has negotiated reasonable terms and conditions with the Proposer, Grandma Millie's Bakery and Café, to lease said building for the purposes of operating a restaurant and production space for bakery items; now, therefore be it

RESOLVED, That in accordance with the recommendation of the Committees on Buildings and Grounds/Highway and Finance, the Chairman of the Board be and hereby is authorized to sign a lease agreement between the County of Fulton and Grandma Millie's Bakery and Cafe, of Johnstown, NY, for lease of the restaurant building at the Fulton County Airport, including the following terms and rates:

1. Lease Term:	August 1, 2013 – December 31, 3014
2. Lease Payment:	\$200.00 per month
3. Sewer	\$10.00 per month
4. Specific Requests:	To be provided by the County
Repair damaged window screens, restroom door closer, create handicap parking space, schedule fire drill, relocate county plow, install 220 circuit. (with supplies by Tenant)	

said lease to become effective August 1, 2013 through December 31, 2014; subject to the approval of the County Attorney; and, be it further

RESOLVED, That proceeds from said lease be deposited in Revenue Account A-083-1770.000 Airport Rentals; and, be it further

RESOLVED, That the Planning Director and Superintendent of Highways and Facilities do each and every other thing necessary to further the purport of this Resolution; and, be it further

Resolution No. 212 (continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Superintendent of Buildings and Grounds/Highway, Grandma Millie's Bakery, Fixed Base Operator, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 332 (12) Nays: 179 (6) (Supervisors Born, DiGiacomo, Handy, Kemper, Lauria and Ottalagano) Absent: 40 (2) (Supervisors Gendron and Ottuso)

Resolution No. 213

Supervisors ARGOTSINGER, BRADT AND CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH ENVIRONMENTAL DESIGN
PARTNERSHIP, LLP TO PREPARE A MODEL FOR FULTON COUNTY'S
"SMART WATERS" SYSTEM AND AMENDING THE
2013 CAPITAL PLAN THEREFOR**

WHEREAS, Resolution 140 of 2013 authorized the distribution of a Request for Proposals (RFP) to prepare a model for a Fulton County "SMART Waters" System and five (5) proposals were received; and

WHEREAS, the Planning Director, Committees on Buildings and Grounds/Highway, Economic Development and Environment and Finance, recommend contracting with Environmental Design Partnership, LLP, they having provided the best overall proposal for said work; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Environmental Design Partnership, LLP, of Clifton Park, NY., to prepare a model for Fulton County's "SMART Waters" System, in accordance with its proposal dated June 12, 2013, in an amount not to exceed \$50,000.00, and be it further

RESOLVED, That said contract is subject to the approval of the County Attorney; and be it further

RESOLVED, That the 2013 Capital Plan hereby is amended to include a "SMART Waters Project – Modeling" and that the 2013 Adopted Budget be, and hereby is, amended as follows:

Revenue Account:

Increase A-081-0511.000 Appropriated Reserves \$50,000.00

Appropriation Account:

Increase A-795-9950.900 Transfer to Capital Plan Project \$50,000.00

and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfers:

From: A-082-0883.800 Capital Improvement Reserve
To: A-082-0909.000 Fund Balance
Sum: \$50,000.00

Resolution No. 213 (continued)

From: A-795-9950.900 Transfer to Capital Plan Project

To: H-085-8397.100 Smart Waters System (New)

Sum: \$50,000.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Environmental Design, LLP, All Engineering Firms, Budget Director/County Auditor, Administrative Officer/Clerk of the Board.

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

TOTAL: Ayes: 408 (14) Nays: 103 (4) Absent: 40 (2) (Supervisors Gendron and Ottuso)

Resolution No. 214

Supervisor BRADT offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING 2013-2014 CHIEF LOCAL ELECTED OFFICIALS (CLEO)
AGREEMENT BETWEEN FULTON, MONTGOMERY AND SCHOHARIE
COUNTIES FOR SPONSORSHIP AND OPERATION OF THE F-M-S
WORKFORCE DEVELOPMENT BOARD**

WHEREAS, in accordance with the Workforce Investment Act (WIA) of 1998, Fulton, Montgomery and Schoharie Counties entered into an agreement prescribed by WIA to govern the management structure for the Fulton-Montgomery-Schoharie Workforce Development Board since 2000; and

WHEREAS, the Chief Local Elected Officials (CLEO) agreement authorizes the F-M-S Workforce Development Board to provide planning, guidance, monitoring, support, oversight and regulation to ensure the highest quality workforce development system; and

WHEREAS, the last extension of said CLEO agreement expires on June 30, 2013; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a formal Chief Local Elected Officials (CLEO) agreement between the County of Fulton, and Counties of Montgomery and Schoharie to implement requirements of the Workforce Investment Act, effective July 1, 2013 through June 30, 2014; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED That certified copies of this Resolution be forwarded to the County Treasurer, Workforce Development Board, Montgomery County Board of Supervisors, Schoharie County Board of Supervisors, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by Supervisor OTTALAGANO and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 215

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A MEMORANDUM OF
AGREEMENT FOR A ONE-STOP OPERATOR PLAN BETWEEN
FULTON COUNTY, MONTGOMERY COUNTY AND SCHOHARIE
COUNTY AND THE NEW YORK STATE DEPARTMENT OF
LABOR AND FULTON-MONTGOMERY-SCHOHARIE
PRIVATE INDUSTRY COUNCIL

WHEREAS, under Section 121 of the Workforce Investment Act, the local Workforce Investment Board must “with the agreement of the chief elected official(s) designate or certify one-stop operators”, and

WHEREAS, in early 2011, the Schoharie County Community Action Program and Schoharie County Department of Social Services requested to be released from the One-Stop Operators Memorandum of Agreement; and

WHEREAS, the One-Stop Operator Services are now coordinated by a consortium consisting of the Department of Labor and the Fulton-Montgomery-Schoharie Private Industry Council; now, therefore be it

RESOLVED, That upon the recommendation of the Workforce Development Board and Committee on Economic Development and Environment, the Board of Supervisors hereby authorizes the Fulton-Montgomery-Schoharie Workforce Development Board to enter a Memorandum Agreement with a consortium consisting of the NYS Department of Labor and F-M-S Private Industry Council for One-Stop Operator Services, effective from July 1, 2013 through June 30, 2015; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Montgomery County Board of Supervisors, Schoharie County Board of Supervisors, F-M-S Workforce Development Board, NYS Department of Labor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 216

Supervisors BRADT AND CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING WRITE-OFF OF BAD DEBT IN THE
DEPARTMENT OF SOLID WASTE FOR 2012

WHEREAS, the Department of Solid Waste has two companies that have not paid their past due bills; and

WHEREAS, the Department of Solid Waste has attempted to collect on past due bills; and

WHEREAS, in accordance with said Policy, the County Attorney has determined that certain accounts are uncollectible; now, therefore be it

RESOLVED, That upon the recommendation of the County Attorney, the Board of Supervisors hereby authorizes the write-off of bad debts for the year 2012 related to non-payment of past due accounts for two companies as follows:

	Tip fees	Total with finance charge
Finkle Distributors, Inc.	\$761.80	\$1267.25
Tradition Leather	<u>\$4,715.36</u>	<u>\$7,984.67</u>
TOTAL	\$5,477.16	\$9,251.92

and, be it further

RESOLVED, That the Solid Waste Director and County Attorney do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Solid Waste Director, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor POTTER and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 217

Supervisors DIGIACOMO AND CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH FULMONT COMMUNITY ACTION AGENCY TO OPERATE A WHEELS TO WORK PROGRAM (100% TRANSPORTATION INITIATIVE GRANT)

WHEREAS, Resolution 46 of 2013 authorized the submission of an application for 2013 Transportation Initiative Funds by the Department of Social Services to support a Wheels to Work Program; and

WHEREAS, the Commissioner of Social Services received notification that Fulton County was selected for Transportation Initiative funding for the period January 1, 2013 through December 31, 2013, in the amount of \$65,338.00; and

WHEREAS, the initiative will provide vehicles, repairs, relevant training and support services to clients receiving Temporary Assistance to Needy Families (TANF) who lack access to adequate transportation for the purpose of maintaining or obtaining employment; and

WHEREAS, the Commissioner of Social Services is now requesting to enter into a contract with Fulmont Community Action Agency to operate a Wheels to Work Program; now, therefore be it

RESOLVED, That upon the recommendation of the Commissioner of Social Services and the Committees on Human Services and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Department of Social Services and Fulmont Community Action Agency of Fonda, NY, to operate a Wheels to Work Program in the amount of \$65,338.00, effective immediately through December 31, 2013; and, be it further

RESOLVED, That this contract is contingent upon approval of the County Attorney; and, be it further

Resolution No. 217 (continued)

RESOLVED, That the 2013 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase A-083-3610.000 DSS-Administration	\$65,388.00
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Appropriation Account:

Increase A-505-6010.417 DSS-Allocations/Grant Funding	\$65,388.00
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and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Social Services Commissioner, Fulmont Community Action Agency, Budget Director/County Auditor and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 218

Supervisors KEMPER AND CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING ADDITIONAL STATE AID FOR THE
DISTRICT ATTORNEY'S SALARY**

WHEREAS, NYS Judiciary Law 183-a mandates that the District Attorney of any County shall receive an annual salary equivalent to that of County Judge in the county in which the District Attorney is elected or appointed; and

WHEREAS, the County has received an additional \$6,099.00 from New York State as reimbursement for a portion of the District Attorney's salary; now, therefore be it

RESOLVED, That the 2013 Adopted Budget be and hereby is amended, as follows:

Decrease A-081-0599.000 Appropriated Fund Balance	\$6,099.00
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Revenue Account:

Increase A-083-3030.000 State Aid-District Attorneys Salary	\$6,099.00
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and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, District Attorney, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HANDY and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 219

Supervisors KEMPER AND CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING PURCHASE OF CERTAIN EQUIPMENT AND SOFTWARE WITH 2012 HOMELAND SECURITY GRANT FUNDS (CIVIL DEFENSE/FIRE COORDINATOR)

WHEREAS, the Civil Defense Director/Fire Coordinator has requested authority to purchase a PTZ camera for use at Bleecker Mountain Tower, a network connection to Bleecker Mountain Tower and Fire Training Center and weather Station software for Bleecker Mountain Tower with 2012 Homeland Security grant funds; and

WHEREAS, Resolution 155 of 2013 authorized the purchase of certain digital cameras and software for the Gloversville Police Department and the actual price was \$42.00 more than anticipated; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Safety and Finance, the Civil Defense Director/Fire Coordinator be and hereby is authorized to purchase the following:

(1) PTZ Camera (Bleecker Mountain Tower)	\$3,529.00
(1) Network Connection (Bleecker Mountain Tower to Fire Training Center)	6,129.00
(1) Weather Station Software (Bleecker Mountain Tower)	785.00
(1) Extra Cost for Digital Camera (Gloversville Police Dept.)	42.00

and, be it further

RESOLVED, That the 2013 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase A-083-3306.001 Civil Def – SHSP	\$7,327.00
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Appropriation Accounts:

Increase A-385-3645.401 Civil Def-SHSP-Contractual	\$6,956.00
Increase A-385-3645.201 Civil Def-SHSP-Equip	\$ 371.00

and, be it further

Resolution No. 219 (continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director/Fire Coordinator, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor JOHNSON and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 220

Supervisor KEMPER offered the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING 2013 HOMELAND SECURITY PROGRAM GRANT
(CIVIL DEFENSE/FIRE COORDINATOR)**

WHEREAS, Fulton County has been notified that it has been allocated \$70,000.00 in grant funds from the 2013 NYS Homeland Security Program; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a grant agreement with the NYS Division of Homeland Security and Emergency Services for 2013 State Homeland Security Program funds, in a total amount of \$70,000.00 for the following purposes:

State Homeland Security Program-Civil Defense Office	\$52,500.00
Law Enforcement Terrorism Prevention Program-Sheriff's Department	\$17,500.00

and, be it further

RESOLVED, That the Civil Defense/Fire Coordinator and Sheriff prepare a plan to describe the use of said grant funds for presentation and approval by resolution of the Board of Supervisors; and, be it further

RESOLVED, That the Civil Defense Director/Fire Coordinator and County Treasurer do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director, Sheriff, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 221

Supervisors KEMPER AND CALLERY offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING GRANT FROM THE NYS OFFICE OF ALCOHOL AND
SUBSTANCE ABUSE VIA H-F-M PREVENTION COUNCIL TO
COMBAT UNDERAGE DRINKING (SHERIFF)

WHEREAS, Fulton County has been notified that it has been awarded \$20,000.00 in grant funds from the NYS Office of Alcohol and Substance Abuse Services and H-F-M Prevention Council to combat underage drinking in Fulton County; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a grant agreement with H-F-M Prevention Council in an amount of \$20,000.00, to combat underage drinking in Fulton County; and, be it further

RESOLVED, That the 2013 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase A-083-1520.000 Sheriff Reimb for Svcs	\$20,000.00
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Appropriation Account:

Increase A-305-3110.110 Sheriff Dept-OT	\$15,000.00
Increase A-305-3111.100 Special Deputies	<u>5,000.00</u>
	\$20,000.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 222

Supervisors KEMPER AND CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING FINAL PAYMENT FOR IMPACT CAD/RMS SYSTEM
FROM THE E911 RESERVE**

WHEREAS, Resolution 119 of 2012 authorized a contract with Impact Computer Services for Computer Aided Dispatch and Records Management System in the Sheriff's Department; and

WHEREAS, Resolution 121 of 2010 appropriated 2009 Law Enforcement Terrorism Prevention Program Grant Funds for the purchase of the Impact CAD/RMS System; and

WHEREAS, final completion and acceptance of said CAD/RMS System was delayed; and

WHEREAS, due to the delay, 2009 LETPP grant funding for this project was diverted to another project; and

WHEREAS, the Sheriff is requesting that funds from the E911 Reserve Account be used to cover the final payment of \$9,889.53 for the Impact CAD/RMS System project which is now due; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Safety and Finance, E911 Reserve Funds be used to pay the final payment of \$9,889.53 for the Impact CAD/RMS System Project; and, be it further

RESOLVED, That the 2013 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase A-083-1760.000 Enhanced 911 Surcharge	\$9,890.00
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Appropriation:

Increase A-305-3020.200 Enhanced 911-Equipment	\$9,890.00
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and, be it further

Resolution No. 222 (continued)

RESOLVED, That when future 2013 State Law Enforcement Terrorism Prevention Program (SLETPP) grant funds are received, the E911 Reserve shall be reimbursed in the amount of \$9,890.00; and be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 223

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION REVISING SCHEDULE OF CHARGEBACKS FOR ELECTION SERVICES
AND SUPPLIES TO INCLUDE ANNUAL MAINTENANCE AGREEMENT COSTS FOR
VOTING SYSTEMS**

WHEREAS, Resolution 178 of 2003 endorsed the concept of the County of Fulton assuming comprehensive responsibility for coordinating the entire election process in the County; and

WHEREAS, Resolution 334 of 2003 established a Chargeback System for Election Services and Supplies in the Board of Elections; and

WHEREAS, Resolution 138 of 2009 revised this Schedule of Chargebacks for Elections Services and Supplies to add additional categories; and

WHEREAS, modern voting systems require annual maintenance agreements to ensure proper functioning of the systems; now, therefore be it

RESOLVED, That upon the recommendation of the Board of Elections Commissioners and the Committee on Finance, effective January 1, 2014, the category "Voting Systems Maintenance Agreements" be, and hereby is included in the Schedule of Chargebacks that shall be apportioned and charged back to the respective municipalities incurring such costs; and, be it further

RESOLVED, That the Board of Elections Commissioner do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Board of Elections Commissioners, All Municipal Clerks, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 224

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH STAPLES CONTRACT AND COMMERCIAL, INC. FOR PRINT MANAGEMENT SERVICES ON A TRIAL BASIS

WHEREAS, the Information Services Director has examined selected computer printers in County service to determine the potential to lower printer toner and supply costs; and

WHEREAS, the Information Services Director has recommended a contract with Staples Contract and Commercial, Inc. for Print Management Services on a trial basis to determine if such a contract can lower toner and supply costs; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Information Services Department and Staples Contract and Commercial, Inc. of Framingham, MA, for a six-month trial basis, effective July 1, 2013 through December 31, 2013, said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That the Information Services Director shall prepare a report documenting the results of the trial period and present said report to the Committee on Finance at its conclusion; and, be it further

RESOLVED, that the Information Services Director and Purchasing Agent do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Information Services Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 225

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AMENDING THE 2013 CAPITAL PLAN TO INCLUDE A STORAGE AREA NETWORK SYSTEM FOR USE IN THE INFORMATION SERVICES DEPARTMENT

WHEREAS, the Director of Community Services is involved in a project to archive records of the former Fulton County Mental Health Clinic; and

WHEREAS, the Information Services Director recommends purchasing a Storage Area Network (SAN) device, originally proposed for 2014, in 2013 to provide additional disk storage space for Clinic records and other data in the Information Services Department; and

WHEREAS, the Community Services Director has identified Mental Health Federal Salary Sharing funds that can be used for said purchase; now, therefore be it

RESOLVED, That upon the recommendation of the Information Services Director and Committee on Finance, the Information Services Director is authorized to purchase a Storage Area Network System for use in the Information Services Department at a cost not to exceed \$12,556.84 using Federal Salary Sharing funds; and, be it further

RESOLVED, That the 2013 Capital Plan hereby is amended to include a Storage Area Network System for the Information Services Department and that the 2013 Adopted Budget be, and hereby is, amended as follows:

Revenue Account:

Increase A-083-4490.000 MH Fed Salary Sharing	\$12,557.00
(A-082-0691.445 Deferred Revenue)	

Appropriation Account:

Increase A-445-4310.200 Mental Health-Equipment	\$12,557.00
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and, be it further

RESOLVED, That the Community Services Director and Information Services Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Information Services Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 226

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING SALE OF COUNTY-OWNED PROPERTIES NOT MEETING THE SET MINIMUM AUCTION PRICE (2013)

WHEREAS, an auction for the sale of County-owned property was held on Wednesday, June 19, 2013; and

WHEREAS, Resolution No. 215 of 1997 established a procedure to set minimum bids for tax acquired properties subject to public auction, specifying that all bids over the minimum be final and executable by the County Treasurer; and

WHEREAS, certain bids received did not meet the minimum set bid prices previously established by the Board of Supervisors; and

WHEREAS, the Committee on Finance has reviewed the list of bids not meeting the minimum and determined it would be in the County's best interest to accept bids below the minimum on certain parcels in order to place them back on the active tax rolls; now, therefore be it

RESOLVED, That in addition to the parcels meeting the minimum, the County Treasurer be and hereby is authorized to sell other County-owned properties at the identified auction bid price below the minimum, included on the attached list; and, be it further

RESOLVED, That the County Treasurer be directed to record the appropriate deed after the execution thereof and to bill the purchasers the proper fees, as well as do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer and Clerk of the Board/Purchasing Agent.

Seconded by Supervisor OTTALAGANO and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

**Tax Acquired Property Auction
June 19, 2013
Properties Not Meeting the Minimum Bid**

<u>Town/SBL</u>	<u>Purchaser</u>	<u>Tax Amount</u>	<u>Bid Accepted</u>
<i>Caroga:</i>			
83.4-1-30.1	Sheila Yates	\$ 7,987.66	\$ 6,000.00
<i>Johnstown:</i>			
117.-5-7	Jovan Boljanac	1,869.20	1,200.00
132.-1-27.100	DLF Properties, LLC	409.11	100.00
118.-3-9.11	DLF Properties, LLC	3,079.47	100.00
101.16-7-19	Lawrence J. Massey III	1,672.35	500.00
148.-2-89.100	Paul D. Maxon	1,712.95	100.00
148.-1-26	Robert J. Jarvis	827.49	100.00
<i>Oppenheim:</i>			
156.-1-11	Elemental Animal, Inc.	1,365.29	1,000.00
112.-2-18	Kellen M. Bassette	1,304.91	100.00
<i>Perth:</i>			
178.-5-5	Richard & Kimberly Travis	524.71	100.00
<i>City of Gloversville:</i>			
149.7-14-2	Cameron Hennelly	2,138.73	700.00
149.10-5-5	Aytasha Hanton	1,287.76	100.00
149.6-26-2	Igor Lensky	24,470.79	11,600.00
134.14-8-12	John Heimer	662.87	250.00
149.7-4-2	Robert G. Ford	7,998.21	5,000.00
149.6-18-8	Matthew E. VanAllen	7,859.18	5,500.00
149.6-22-39	Marae Tesi	12,279.89	4,000.00
134.19-24-15	Victor R. Trippodo	3,670.03	200.00
149.10-11-4	Georgia A. Lopresti	12,330.46	9,000.00

Resolution No. 227

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING COUNTY TREASURER TO ISSUE COURT-ORDERED
REFUND TO RICHARD BENNICE FOR OVERPAYMENT OF PROPERTY TAXES
IN 2012 AND 2013**

WHEREAS, pursuant to Supreme Court Orders 2011-00604, the tax on Richard Bennice's property (SBL 175.-1-17.11 and 175.-1-17.211) in the Town of Johnstown, was reduced from \$35,169.19 to \$21,915.02; and

WHEREAS, the County is mandated to refund Richard Bennice the sum of \$13,254.17 for property taxes collected in 2012 and 2013; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is authorized to issue a refund, in the amount of \$13,254.17, to Richard Bennice, for overpayment of taxes on Parcels 175.-1-17.11 and 175.-1-17.211, in the Town of Johnstown; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Real Property Tax Service Agency Director, Town of Johnstown Assessor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 228

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION TRANSFERRING TITLE TO PARCEL 113.-1-62.2 IN THE TOWN OF EPHRATAH TO ADJOINING PROPERTY OWNER EDWIN COLE JR. TO CORRECT PROPERTY LINE DISCREPANCY

WHEREAS, the County has taken title to Parcel 113.-1-62.2 in the Town of Ephratah due to non-payment of taxes; and

WHEREAS, Fulton County has foreclosed and owned this property seven different times since 1991 due to its limited size (212' x 140'), triangular shape, property line discrepancy and limited resale value; and

WHEREAS, the County Treasurer has proposed the sale of this parcel to an adjoining property owner to settle the property line discrepancies in accordance with the following terms and conditions:

- Purchaser will pay the purchase price of \$300.00 plus filing fees of \$317.00.
- The County will waive delinquent property taxes in the amount of \$2,004.28.
- The Purchaser will agree to combine said parcel with his/her adjoining parcel to avoid future discrepancies.

now, therefore be it

RESOLVED, That the County Treasurer is authorized to record the appropriate deed for transfer of parcel 113.-1-62.2 in the Town of Ephratah to Edwin Cole, Jr. of St. Johnsville, NY, for the purchase price of \$617.00 in accordance with the provisions of this resolution; as well as do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Real Property Tax Services Director, Edwin Cole, Jr., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KEMPER and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 229

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION SETTING DATE OF PUBLIC HEARING ON PROPOSED LOCAL LAW "C"
OF 2013 AMENDING LOCAL LAW 2 OF 1956, ENTITLED "A LOCAL LAW
ENUMERATING RULES AND REGULATIONS FOR THE ADMINISTRATION OF THE
FULTON COUNTY SELF-INSURANCE PLAN, AS AMENDED, TO REVISE THE
PAYMENT METHOD FOR PARTICIPANTS**

WHEREAS, there has been duly presented and introduced at a meeting of the Fulton County Board of Supervisors, held on July 8, 2013, a proposed local law entitled, "LOCAL LAW 'C' OF 2013 AMENDING LOCAL LAW 2 OF 1956, ENTITLED "A LOCAL LAW ENUMERATING RULES AND REGULATIONS FOR THE ADMINISTRATION OF THE FULTON COUNTY SELF-INSURANCE PLAN, AS AMENDED, TO REVISE THE PAYMENT METHOD FOR PARTICIPANTS"; now, therefore be it

RESOLVED, That a public hearing shall be held for said proposed Local Law "C" for the year 2013 by the Fulton County Board of Supervisors, on August 12, 2013, at 1:30 p.m., in the Supervisors' Chambers, County Office Building, Johnstown, NY, and at least seven days' notice (excluding Sundays) of such public hearing be given by the Clerk of the Board by duly posting upon the bulletin boards of the Fulton County Office Building, Johnstown, NY, and by publication at least once in the official Fulton County newspaper; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, All Municipal Clerks in Fulton County, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

**LOCAL LAW “C” OF 2013 AMENDING LOCAL LAW 2 OF 1956,
ENTITLED “A LOCAL LAW ENUMERATING RULES AND REGULATIONS
FOR THE ADMINISTRATION OF THE FULTON COUNTY SELF-INSURANCE
PLAN, AS AMENDED, TO REVISE THE PAYMENT METHOD FOR PARTICIPANTS**

BE IT ENACTED BY THE FULTON COUNTY BOARD OF SUPERVISORS AS FOLLOWS:

SECTION 1

Section 162-9. “Payments by participants”, of the Fulton County Code is hereby amended to delete existing language in its entirety and replace it with the following:

The amount due from each participating city, town, village and school district as its share of the annual estimate of the plan shall be paid to the County Treasurer within 30 days after the commencement of such participant’s fiscal year.

SECTION 2

This Local Law shall take effect immediately but shall first affect the 2014 Self-Insurance Plan Budget.

Resolution No. 230

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION DESIGNATING THE CLERK OF THE BOARD FOR SERVICE OF
NOTICES OF CLAIM AGAINST FULTON COUNTY**

WHEREAS, NYS General Municipal Law Section 53 was amended to permit notices of claim against public corporations to be served on the New York Secretary of State; and

WHEREAS, the New York Department of State will forward the notice of claim to the person designated by the public corporation to receive the notice of claim; and

WHEREAS, Fulton County must designate the New York Secretary of State as its agent for service of notices of claim and designate a county official to receive transmittal of notices of claim from the State; now, therefore be it

RESOLVED, That Board of Supervisors hereby designates the Clerk of the Board of Supervisors, County Office Building, 223 West Main Street, Johnstown, NY 12095 for service of notices of claim against Fulton County; and be it further

RESOLVED, That the Chairman of the Board be and hereby is directed to file the appropriate "Certificate of Designation for Service of Notice of Claim" with the New York Secretary of State; and, be it further

RESOLVED, That the Chairman of the Board and the Clerk of the Board do each and every other thing necessary to further purport of this resolution; and be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, New York Department of State and Administrative Officer/Clerk of the Board.

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 231

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DISPOSAL OF CERTAIN SURPLUS EQUIPMENT

WHEREAS, the Purchasing Agent recommends disposal of broken equipment in certain departments; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to dispose of the following County surplus equipment, in accordance with the Fulton County Purchasing and Audit Guidelines:

Highways & Facilities:

Frigidaire Air Conditioner (0006699) (Purchased 2005)

Slide Aire (0000940) (Purchased 2005)

Slide Aire (0001374) (Purchased 2005)

GE Air Conditioner (0000935) (Purchased 2005)

Solid Waste:

Saw, Contractor's Milwaukee (0005303) (Purchased 7/13/2000)

and, be it further

RESOLVED, That the Superintendent of Highways and Facilities, Solid Waste Director and Purchasing Agent be and hereby are directed to arrange for the disposal of the listed surplus as scrap and/or refuse, to be coordinated with the Solid Waste Department's current bulky metals contract, as necessary; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Solid Waste Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 232

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING 2013-2014 FMCC BUDGET

WHEREAS, the Fulton-Montgomery Community College Board of Trustees has presented the sponsoring counties with a 2013-2014 budget request, proposing a total FMCC budget of \$19,488,730.00; and

WHEREAS, a public hearing related to the adoption of said FMCC Budget was held on July 8, 2013 and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That the several amounts reflecting the share to be appropriated by Fulton County be and the same hereby are appropriated for the objects and purposes specified below, to become effective September 1, 2013:

Fulton County Sponsor Share:	\$ 1,395,821.00
Revenues and Montgomery Co. Share:	<u>18,092,909.00</u>
Total FMCC Operating Budget	\$19,488,730.00

and, be it further

RESOLVED, That the share and obligation of the County of Fulton shall be included in the Fulton County Budget for 2013, as provided for in Section 6304 of the Education Law of the State of New York; and, be it further

RESOLVED, That the Board of Supervisors hereby directs the FMCC Board of Trustees to prepare a final 2013-2014 College budget in accordance with the sums appropriated herein; and, be it further

RESOLVED, That this Resolution is contingent upon adoption of a similar resolution by the Montgomery County Board of Supervisors; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, FMCC Board of Trustees, Montgomery County Board of Supervisors, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)

Resolution No. 233

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING TRANSFERS

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfers:

From: A-795-9950.900 Transfer to Capital Plan Projects

To: A-245-1630.201 Service Complex II-Capital

Sum: \$6,400.00

From: A-405-4010.456 Public Health-Printing

To: A-405-4010.459 Public Health-Patient Educ Supplies

Sum: \$2,760.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Public Health Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Gendron and Ottuso)